

REMARKS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. The applicant's representative would like to thank the Examiner for her time and input concerning a telephone interview discussing good courses of action concerning a claiming strategy. As will be seen by the present amendment, the concepts discussed within the telephone interview are incorporated in various ways into the presently pending claims.

Turning the claims, it will be noted that original claims 1-13 are canceled, without prejudice or disclaimer, in lieu of the presentation of new claims 14-33.

Turning to the claims, it should be noted that new independent claims 14 and 24 recite, in pertinent part, that the arms of the device are fixedly connected to the connector and are supported by the connector. It is these arms that extend from the connector and to a portion that joins the ends of the arms. The portion joining the ends of the arms is supported by the arms. As can be appreciated by such claim limitations, it is the connection and support being provided by the portion located above (as shown in the example embodiment) that provides distinction from the cited prior art, and in particular the patent to Persing.

Turning to the patent to Persing, it was discussed that the restrainer 10 is a separate element from the nut. It is acknowledged that the restrainer 10 can engage the nut 60. This is shown within Fig. 4. However, the separate piece of the restrainer is not fixedly connected to the nut 60. It is because of this lack of a fixed connection between the restrainer and the nut that the restrainer 10 is not supported by the nut 60. As was discussed during the telephone interview, the restrainer 10 is held up and into contact with the nut 60 by the pipe. Again, this is best shown within Fig. 4 of the Persing patent. Accordingly, it is respectfully submitted that the independent claims 14 and 24 are allowable over the Persing patent.

It should be noted that the Gabriel patent (U.S. Patent No. 4,413,799), although not presented within a rejection, was briefly mentioned during the

telephone interview. In short summary, it should be recalled that the Gabriel patent, and the various embodiments shown therein, do not have all of the claimed limitations set forth within the independent claims. For example, the embodiment shown in Fig. 1 shows a embodiment in which a U-shaped member 5 is displaced away from the nut and washer arrangement that supports the strap 3. The other embodiments (e.g., Figs. 2-4), each lack various limitations found within the independent claims, possibly including fixed connection, plurality of arms, and/or a portion joining ends. As such, it is clear that the Gabriel patent would be subservient to the Persing patent concerning relevance, and as already discussed, the present invention is distinct from the Persing patent.

Turning to the dependent claims, it should be appreciated that the depending claims are allowable for reasons set forth for the independent claims from which they depend. However, it should be appreciated that the dependent claims present additional points of distinction, and thus have separate patent ability. For example, claims 15 recites that the connector, the arms, and the portion joining the ends of the arm, all of the device, are rotatable as a unit relative to the pipe hanger during the rotational threaded-engagement movement of the connector. As can be appreciated, the prior art devices, such as those shown by Persing and Gabriel, are not intended to be rotatable. Going beyond the fact that the components are not fixed together, surrounding elements would certainly block any rotation.

Claims 16 and 17 address the structure of the collar. Again such structure is not provided within the cited prior art.

Claims 18 and 19 are directed to the structure of the upper ends of the arms (e.g., turned perpendicular, and more specifically turned outwardly). As should be clear upon review of the Persing and Gabriel patent, such structure is not provided therein.

Claim 20 addresses the issue of welding between the arms and the connector. As discussed during the telephone interview, Persing does not have such structure. The ends of the restrainer 10 merely contact the nut 63.

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Dependent claims extending from independent claim 24, which is directed to a pipe support assembly, have some of the same aspects discussed above. Still further, other aspects are presented in dependent format, but provide additional points of distinction. For example, claim 32 indicates that the arms and the portions joining ends of the arms are spaced from the pipe hanger to be non-contacting with the pipe hanger. Such a concept is not presented by the Persing and Gabriel patents. Instead, contact appears to be an important consideration.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition allowance and allowance of the above-identified application is respectfully requested.

If there are any fees required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. 35256.

Respectfully submitted,
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